

United States District Court

for the

Eastern District of New York

**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)**

Name of Offender: Dino Basciano

Case Number CR-94-1240

Name of Sentencing Judicial Officer: The Honorable Raymond J. Dearie, U.S. District Judge

Date of Original Sentence: August 4, 2000

Original Offense: 21 U.S.C. 841, Distribution and Possession with Intent to Distribute Cocaine, a class A felony, 18 U.S.C. 1959, Assault in Aid of Racketeering, a class C felony and 18 U.S.C. 922, Unlawfully Dealing in Firearms, a class D felony.

Original Sentence: Time Served, Five (5) years supervised release, and a \$300 special assessment fee.

Type of Supervision: Supervised Release

Date Supervision Commenced: August 4, 2000

PETITIONING THE COURT

- ☐ To extend the term of supervision for years, for a total term of years.
- ☒ To modify the conditions of supervision as follows:

SPECIAL CONDITION: You shall participate in a 60 day program of home detention, to be monitored electronically, and shall abide by a curfew as directed by your Probation Officer. You shall reimburse the government \$60 for the cost of electronic monitoring.

SPECIAL CONDITION: You shall not possess or consume any alcoholic beverages, and you shall not frequent any establishment where alcohol is the chief item for sale.

SPECIAL CONDITION: You shall submit to a program of remote alcohol testing while in home detention on electronic monitoring.

SPECIAL CONDITION: You shall submit to a search of your person, automobile, and residence at the direction of your Probation Officer, and you shall allow for the confiscation of any contraband found therein.

Request for Modifying the
Conditions or Terms of Supervision
with Consent of the Offender

BASCIANO, Dino
CR-94-1240

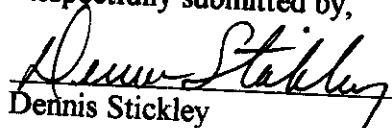
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STICKLEY/ BK, NY

CAUSE

The purpose of this memorandum is to update the Court on the releasee's status since his last arrest on April 30, 2004, at which time he was charged with Driving While Intoxicated ("DWI"). According to the district of supervision, while awaiting sentencing on the aforementioned case, the releasee was again arrested on December 25, 2004, and charged with a second offense of DWI. On January 26, 2005, the releasee was convicted of the first offense, and sentenced to ninety (90) days custody, eighty (80) days suspended, with credit given for one (1) day served. In addition, he was placed on twenty four (24) months probation, and ordered to participate in alcohol counseling. In lieu of jail time, the releasee was offered an opportunity to participate in the Sheriff's Inmate Labor Detail Program. A jury trial has been set to hear the releasee's second offense on June 16, 2005, and it is anticipated that the releasee will enter a guilty plea and receive a custodial sentence.

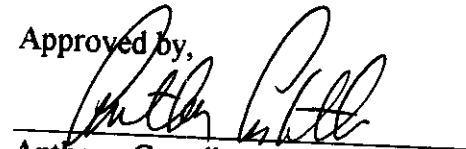
As a result of the above, the releasee agreed to waive a hearing and have his conditions modified to address his alcohol abuse, and to sanction him for his two arrests. Therefore, a Probation Form 49, Waiver of Hearing to Modify Conditions of Supervised Release has been attached for the Court's review. We await Your Honor's response in this matter.

Respectfully submitted by,


Dennis Stickley
Senior U.S. Probation Officer
347-534-3519

Date: March 29, 2005

Approved by,


Anthony Castellano
Supervising U.S. Probation Officer

THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

Signed by
J. DeARIC
on 3/31/05

PROB 49
(3/89)

United States District Court

Eastern District New York

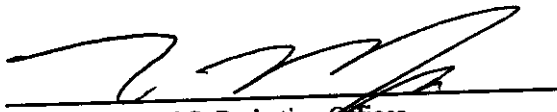
Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

- 1.) You shall participate in a 60 day program of home detention, to be monitored electronically, and shall abide by a curfew as directed by your probation officer. You shall reimburse the government \$60 for the cost of electronic monitoring.
- 2.) You shall not possess or consume any alcoholic beverages and you shall not frequent any establishment where alcohol is the chief item for sale.
- 3.) You shall submit to a program of remote alcohol testing while in home detention on electronic monitoring.
- 4.) You shall submit to search of your person, automobile and residence at the direction of your probation officer and you shall allow for the confiscation of any contraband found therein.

Witness


U.S. Probation Officer

Signed


Probationer or Supervised Releasee

2-10-05
Date